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*Attorneys for Painters and Floorcoverers Joint Committee
and Cement Masons and Plasterers Joint Trust Funds*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * * *

BOARD OF TRUSTEES OF PAINTERS &
FLOORCOVERERS JOINT COMMITTEE;

Plaintiff,

vs.

GREAT AMERICAN INSURANCE
COMPANY, *et al.*,

Defendants.

Case No.: 2:16-cv-01301-JCM-NJK

CONSOLIDATED WITH:

Case No.: 2:16-cv-01315-JCM-CWH

**STIPULATION AND ORDER FOR
DISMISSAL**

BOARD OF TRUSTEES OF THE
CEMENT MASONS AND PLASTERERS
HEALTH AND WELFARE TRUST, *et al.*;

Plaintiffs,

vs.

RECREATION DEVELOPMENT
COMPANY, LLC, *et al.*,

Defendants.

1 Plaintiffs and Defendants (collectively referred to as "Parties"), each acting through
2 their respective undersigned counsel, hereby stipulate and agree as follows:

3 1. All claims asserted by Plaintiff Board of Trustees of Painters & Floorcoverers
4 Joint Committee in Case No. 2:16-cv-01301-JCM-NJK are dismissed with prejudice;

5 2. All claims asserted by Plaintiffs Board of Trustees of the Cement Masons and
6 Plasterers Health and Welfare Trust, Board of Trustees of the Cement Masons and Plasterers
7 Joint Pension Trust, Board of Trustees of the Cement Masons and Plasterers Vacation Saving
8 Trust, and Board of Trustees of the Cement Masons and Plasterers Joint Apprenticeship
9 Training Trust in Case No. 2:16-cv-01315-JCM-CWH are dismissed with prejudice;

10 3. All crossclaims asserted by Defendant Recreation Development Company,
11 LLC in Case No. 2:16-cv-01301-JCM-NJK and Case No. 2:16-cv-01315-JCM-CWH are
12 dismissed without prejudice;

13 4. All crossclaims asserted by Defendant SR Construction, Inc. in Case No.
14 2:16-cv-01301-JCM-NJK and Case No. 2:16-cv-01315-JCM-CWH are dismissed without
15 prejudice;

16 5. All claims in the consolidated cases having been dismissed, Case No. 2:16-
17 cv-01301-JCM-NJK and Case No. 2:16-cv-01315-JCM-CWH are dismissed; and

18 6. Each party shall bear its own attorney's fees and costs, except that Great
19 American Insurance Company reserves its right to be reimbursed and indemnified from
20 Defendants Recreation Development Company, LLC, Jeffrey A. Whittle, Shelley K. Whittle,
21 and Albert E. Nelson against the fees and costs it has incurred in this action as set forth in a
22 settlement agreement between the Parties.
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25 [SIGNATURES ON FOLLOWING PAGE]
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Dated this 14th day of April, 2017.

CHRISTENSEN JAMES & MARTIN

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*Attorneys for Painters and Floorcoverers
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Shelley K. Whittle*

ALLISON LAW FIRM

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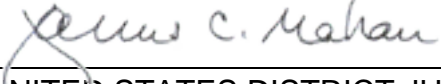
THE FAUX LAW GROUP

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Attorneys for Albert Nelson

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

April 19, 2017
Dated: _____

Submitted by:

CHRISTENSEN JAMES & MARTIN

By: /s/ Wesley J. Smith
Wesley J. Smith, Esq. (SBN 11871)
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On the date of filing the foregoing papers with the Clerk of Court, I caused a true and correct copy to be served in the following manner:

☒ **ELECTRONIC SERVICE:** Pursuant to Local Rule LR IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

☐ **UNITED STATES MAIL:** By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ **OVERNIGHT COURIER:** By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ **ELECTRONIC MAIL:** By sending the above-referenced document via electronic mail to those persons and those addresses listed below:

CHRISTENSEN JAMES & MARTIN

By: /s/ Natalie Saville

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